

10.01.2025
Item no. 35.
Court No.29.
AB
(Allowed)

CRM (DB) 3866 of 2024

In Re: An Application for Bail under Section 439 of the Code of Criminal Procedure, 1973/Under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Goghat Police Station Case No.343 of 2024 Dated 06.07.2024 under Sections 137(2)/140(3)/65(1) of the Bharatiya Nyaya Sanhita, 2023 read with Section 6(1) of the POCSO Act

And

In the matter of : Monojit Kurel @ Manojit Kunrel

.....Petitioner.

Mr. N. S. Ghosh,
Mr. Sourav Mondal,
Ms. Laboni Sikder,
Mr. Souvik Defor the Petitioner.

Mr. Partha Pratim Das,
Mr. Tirupati Mukherjeefor the State.

Dictated by Arijit Banerjee, J.

1. Affidavit of service filed in Court today, be kept with the records. In spite of service, nobody appears for the victim/defacto complainant.
2. The petitioner says that he has been falsely implicated. There was a good friendship between the petitioner and the victim. The victim girl on her own volition went with the petitioner and they resided for some time in the house of the petitioner's sister. Thereafter, the victim girl returned to her parental house.
3. Learned State Advocate, while opposing the prayer for bail, drew our attention to the victim girl's statement

recorded under Section 164 Cr.P.C. We have also seen the medical report.

4. Prima facie, we do not find any such incriminating material against the petitioner as would justify his further custodial detention. Hence, we are inclined to grant bail to the petitioner.
5. Accordingly, we direct that the petitioner, namely **MONOJIT KUREL @ MANOJIT KUNREL** shall be released on bail upon furnishing a bond of Rs.10,000/-, with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Judge, Special Court under the POCSO Act at Arambagh, Hooghly, and on further conditions that he shall not leave the jurisdiction of the concerned police station and shall report to the Officer-in-Charge of the concerned police station once in a fortnight until further orders.
6. The petitioner shall appear before the trial court on every date of hearing until further orders and shall not intimidate the witnesses and/or tamper with evidence and/or commit any cognizable offence in any manner whatsoever.
7. In the event the petitioner fails to adhere to any of the conditions stipulated above without justifiable cause, the trial court shall be at liberty to cancel the petitioner's bail in accordance with law without further reference to this Court.

8. The application for bail is, accordingly, allowed.
9. All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(Arijit Banerjee, J.)

(Apurba Sinha Ray, J.)